

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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OFFICE OF REGIONAL COUNSEL
EPA - REGION X
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In the Matter of)
Pacific Wood Treating Corp.,) Docket No. RCRA-X-85-09-26-3008P
Respondent)

O R D E R



By letter, dated April 29, 1986, Respondent stated that it contemplated filing a motion for an accelerated decision and suggested that the prehearing exchange scheduled to be furnished on or before May 23, 1986, be extended until the motion had been decided. Complainant has opposed the suggested extension, contending that it was not in the proper form inasmuch as it did not set forth with particularity the relief or order sought and, additionally, asserting that the suggestion was made solely for delay.

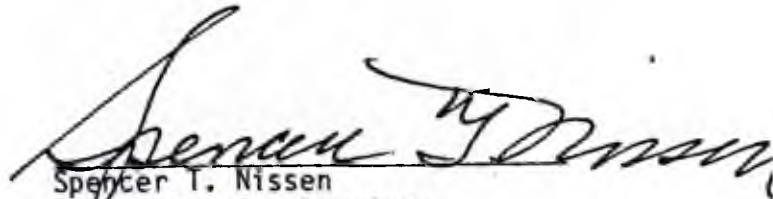
It appearing that the basis for the motion for an accelerated decision will be that the State of Washington has acted on the violations alleged in the complaint, and such a motion could have a substantial basis,* it is ordered that any such motion be filed on or before May 23, 1986.** Complainant will respond to the motion on or before June 13, 1986 and any reply thereto by Respondent will be filed on or before June 24, 1986.

* Matter of BKK Corporation, RCRA (3008) 84-5, Order on Petition For Reconsideration (Decision of Administrator, October 23, 1985).

** If Respondent elects not to file the motion, the prehearing exchange will take place as scheduled, i.e., on or before May 23, 1986.

Prehearing submittals will be due within 10 days after the motion,
if filed and denied, is decided.

Dated this 9th day of May 1986.



Spencer T. Nissen
Administrative Law Judge


CERTIFICATE OF SERVICE

I hereby certify that the original of this Order, dated May 9, 1986, in re: Pacific Wood Treating Corp., was mailed to the Regional Hearing Clerk, Reg. X, and a copy was mailed to each party in the proceeding as follows:

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May 9, 1986


Helen F. Handon
Secretary